

**MANSFIELD TOWNSHIP LAND USE BOARD  
OCTOBER 15, 2018  
MINUTES**

Official notice of the time, date and location of this regular public meeting, where formal action may or may not be taken, was given by publication in The Express Times. In addition, notice of this meeting was posted on the bulletin board in the Municipal Building, publishing on the Municipal web site, and given to the Township Clerk.

The regularly scheduled meeting of the Mansfield Township Land Use Board was called to order by Vice Chairman Farino at 7:35 PM.

The meeting was opened by stating that adequate notice of this public meeting had been provided in accordance with the Open Public Meetings Act by:

1. posting a notice of this meeting on the bulletin board of the Municipal Building;
2. causing said notice to be published in The Express Times;
3. furnishing said notice to those persons requesting it pursuant to the Open Public Meetings Act; and
4. filing said notice with the Township Clerk.

Present: Farino, Hayes, Spender, Jewell, Keggan  
Alternates present: Creedon, Cruets, Petteruti, Reagle  
Absent: Hight, Barton, Minter, Vaezi  
Also present: William Edleston, Esq.; Chris Kastrud, P.E.

Pledge of Allegiance was recited by all.

**MOTION** was made by **HAYES** to approve the minutes of the September 17, 2018 meeting minutes.

**SECONDED: KEGGAN**

Those in favor: Hayes, Spender, Jewell, Keggan, Creedon, Cruets, Petteruti, Farino  
Opposed: None  
Abstain: Reagle  
Absent: Hight, Barton, Minter, Chairman Vaezi

OPEN TO THE PUBLIC  
CLOSED TO THE PUBLIC

**RESOLUTIONS:**

Mr. Edleston, Esq. stated that there is a Resolution, as discussed at the last meeting, extending the period of protection for Airport Road Estates by one year retroactive to June on 2018. The traffic calming solution is a 3 way stop with the outer portion of the cul des ac will be removed. This also changes the previous resolution regarding the maintenance of the detention basin, per

Kastrud Engineering the regulations have changed and is to be maintained by a Homeowner's Association instead of individual lot owners. Also, they must file the final plat within 95 days of the signing of this Resolution.

**MOTION** was made by **HAYES** to approve the 16-02 Airport Road Estates/Brinkerhoff Enterprises Time Extension Resolution.

**SECONDED: KEGGAN**

Those in favor: Hayes, Spender, Jewell, Keggan, Cruets, Petteruti, Reagle, Farino

Opposed: None

Abstain: Creedon

Absent: Hight, Barton, Minter, Chairman Vaezi

APPLICATIONS:

Case 18-03 – Karl and Rose Strohmaier - Variance – Accessory Structure

[Mr. Jewell recused himself]

Mr. Edleston, Esq. swore in Mr. Karl and Mrs. Rose Strohmaier

Mr. Strohmaier spoke regarding the removal of an Echo home and desire to put in a 1530 sf detached garage in place of the Echo home.

Clerk Griffith confirmed administrative completeness per Kastrud Engineering report for items 1, 2, 3, 4, 11 and 12

Mr. Kastrud reviewed his completeness items stating 5, 6, 8, 10, 15, 16 & 17 were marked appropriately not applicable. Items 9, 13 & 14 have been submitted with their application. Item #7 copy of deed was labeled not applicable but should be submitted.

**MOTION** was made by **HAYES** to deem Case 18-03 – Karl and Rose Strohmaier - Variance – Accessory Structure Complete.

**SECONDED: CREEDON**

Those in favor: Hayes, Spender, Keggan, Cruets, Creedon, Petteruti, Reagle, Farino

Opposed: None

Abstain: None

Absent: Hight, Barton, Minter, Chairman Vaezi

Mr. Kastrud went through the variance related items from his report. The Strohmaier's are requesting a variance for a 1530 square foot garage where 150 sf is permitted, with a height of 24' with 10' being currently permitted by ordinance. The intended use is for personal use, which also includes a bathroom consisting of a toilet and sink but no 2nd floor, just an attic space.

Mr. Kastrud mentioned that they must go back to the Board of Health for the approval of the existing

septic from the previously removed ECHO home.

Mr. Kastrud indicated that even if the accessory structure ordinance had been passed when this zoning application came to him, the height would still be an issue with the proposed 24 ft. This is well under the 3% limit defined in the accessory structure ordinance being passed next week.

Mr. Strohmaier noted that the section 363-30 Area and Yard Requirement table provided shows the maximum accessory structure height as 24 ft.

The applicants were informed that the new accessory structure ordinance will be passed at the next Township Committee on October 24 so they can decide if they want to proceed with the variance or withdraw.

After some discussion regarding cost they decided to proceed with the Land Use Board variance approval.

Vice Chairman Farino opened to the public  
Vice Chairman Farino closed to the public

Mr. Creedon asked about a zoning ordinance regarding the bathroom in an accessory structure.

Mr. Kastrud found nothing on if a bathroom is allowed in an accessory structure.

**MOTION** made by **HAYES** to approve Case 18-03 – Karl and Rose Strohmaier to construct a 1,550 sf detached garage with a height of 24 feet.

**SECONDED: KEGGAN.**

Those in favor: Hayes, Spender, Keggan, Cruets, Petteruti, Reagle, Farino

Opposed: Creedon

Abstain: None

Absent: Hight, Barton, Minter, Chairman Vaezi

Mr. Edleston, Esq. suggested a letter get sent to the Construction office authorizing the Strohmaiers' to obtain construction permits without an authorized resolution.

DISCUSSION/CORRESPONDENCE:

Master Plan Re-exam deferred to November as a Planner report had not been provided.

OLD BUSINESS

Proposed Ordinance 2018-11 Accessory Structure Ordinance Revision:

Mr. Kastrud was asked to make the maximum height 24 feet, to be consistent with the schedule of zoning requirements, add a toilet and sink but no bathing facilities to the Accessory Structure definition, and restrict to a single story.

**MOTION** made by **PETTERUTI** to recommend the passage of 2018-11 Accessory Structure Ordinance with the revisions discussed.

**SECONDED: CREEDON**

Those in favor: Jewell, Spender, Keggan, Creedon, Cruets, Petteruti, Reagle

Opposed: None

Abstain: Hayes, Farino

Absent: Hight, Barton, Minter, Chairman Vaezi

Mr. Kastrud suggested Clerk Griffith write a letter back to the Township Committee recommending its passage with the discussed changes.

NEW BUSINESS

Proposed Ordinance 2018-09 Prohibited Uses:

Some discussion was held regarding the effect of this proposed ordinance on commercial farmers and households.

Mr. Edleston, Esq. inquired if the Township attorney provided an opinion with regards to the State legalizing cannabis whether that supercedes the local ordinance.

Mayor Watters spoke from the audience regarding the advice given, that the local ordinance will supercede the State's approval.

**MOTION** made by **CREEDON** to recommend the passage of 2018-09 Prohibited Uses Ordinance.

**SECONDED: KEGGAN**

Those in favor: Jewell, Spender, Keggan, Creedon, Cruets, Petteruti, Reagle

Opposed: None

Abstain: Hayes, Farino

Absent: Hight, Barton, Minter, Chairman Vaezi

Clerk Griffith will write a letter back to the Township Committee recommending its passage as is.

Mr. Hayes asked about the Meadows lighting and whether they would be paying for it.

Mr. Kastrud noted that RSIS standards seem to leave it up to the municipality and since we do not require street lights we have no responsibility.

Vice Chairman Farino asked that this be researched back to the Whispering Woods hearings to prove that we have no responsibility for street lights.

2019 Budget Request:

Clerk Griffith stated that the CFO sent out 2019 budget requests that need to be returned by November 1.

**MOTION** made by **JEWELL** to keep the budget numbers the same as 2018.

**SECONDED: CREEDON**

Those in favor: Hayes, Spender, Keggan, Creedon, Cruets, Petteruti, Reagle, Farino

Opposed: None

Abstain: None

Absent: Hight, Barton, Minter, Chairman Vaezi

Design and Performance Standards - Article IV. Lighting:

Vice Chairman Farino recommended Mr. Kastrud review the current Design and Performance Standards - Article IV. Lighting for possible changes and come back next month with any suggestions.

INVOICES

William Edleston, Esq.

Invoice 785	Professional Services	\$250.00
Invoice 786	Mansfield Commons II	\$1,480.00
Invoice 787	Airport Rd Estates (Brinkerhoff)	\$280.00

**GRAND TOTAL** **\$2,010.00**

**MOTION** was made by **SPENDER** to authorize payment by the Township Committee of the invoices submitted by the professionals.

**SECONDED: KEGGAN**

Those in favor: Hayes, Spender, Keggan, Creedon, Cruets, Petteruti, Reagle, Farino

Opposed: None

Abstain: None

Absent: Hight, Barton, Minter, Chairman Vaezi

ADJOURNMENT

Vice Chairman Farino adjourned the meeting at 8:54 pm